

ZEMAN & WOMBLE, LLP

KEN WOMBLE
20 VESEY STREET, RM 400
NEW YORK, NY 10007

P (718) 514-9100
F (917) 210-3700

WOMBLE@ZEMANWOMBLELAW.COM

WWW.ZEMANWOMBLELAW.COM

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BY ECF & EMAIL

Hon. Colleen McMahon
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

3/2/21

Mr. Womble is reappointed
to represent defendant in
connection with motion for
compassionate release for alt-
ernative reduction in
sentence. The reappointment
is *nunc pro tunc* to
Jan 1, 2021.

Re: *United States v. Jacinto Garcia*
18 Cr. 802 (CM)

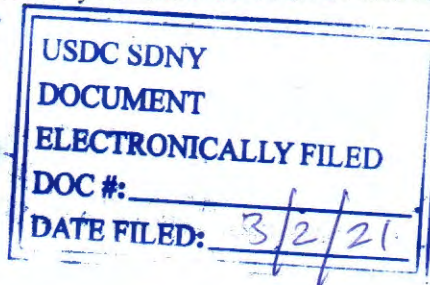
Dear Judge McMahon:

I write on behalf of Jacinto Garcia, currently incarcerated at FCI Fort Dix, New Jersey, a facility that is currently experiencing another COVID outbreak. The BOP reports that over 1,600 inmates at Fort Dix have tested positive for COVID since the beginning of the pandemic.

I represented Mr. Garcia in the above-referenced matter pursuant to Criminal Justice Act 18 U.S.C. §3006A, from the inception of his case through sentencing. Mr. Garcia was sentenced to 6 years incarceration by your honor on September 12, 2019. Your Honor reappointed me to represent Mr. Garcia during his 2020 request for compassionate release. I filed a motion on April 30, 2020, requesting compassionate release for Mr. Garcia. That motion was denied on May 13, 2020.

I respectfully request CJA reappointment to submit a motion requesting reconsideration of the Court's denial of our request for compassionate release, as well as a motion requesting, in the alternative, a reduction to Mr. Garcia's sentence pursuant to *United States v. Brooker*, No. 19-3218, WL 5739712 (2d Cir. Sept. 25, 2020). Should the Court grant this request, I would ask that reappointment be ordered *nunc pro tunc* from January 1, 2021, as I have been in contact with Mr. Garcia since the beginning of this year monitoring his medical situation and his conditions of confinement at Fort Dix.

Thank you for your consideration of this request.



Respectfully Submitted,

Ken Womble

Ken Womble
Zeman & Womble, LLP

Cc: AUSA Dominic Gentile